

105TH CONGRESS
1ST SESSION

S. 748

To provide for college affordability and high standards.

IN THE SENATE OF THE UNITED STATES

MAY 15, 1997

Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Ms. MIKULSKI, Mr. BUMPERS, Ms. COLLINS, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To provide for college affordability and high standards.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “College Affordability
5 and High Standards Act of 1997”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) far too many students are not being pro-
9 vided sufficient academic preparation in secondary
10 school, which results in limited employment opportu-
11 nities, college dropout rates of over 25 percent for

1 the first year of college, and remediation for almost
2 one-third of incoming college freshmen;

3 (2) there is a growing consensus that raising
4 academic standards, establishing high academic ex-
5 pectations, and showing concrete results are at the
6 core of improving public education;

7 (3) modeling academic standards on the well-
8 known program of advanced placement courses is an
9 approach that many education leaders and almost
10 half of all States have endorsed;

11 (4) advanced placement programs already are
12 providing almost 30 different college-level courses,
13 serving almost 60 percent of all secondary schools,
14 reaching a 1,500,000 student population (of which
15 80 percent attend public schools, 55 percent are fe-
16 males, and 30 percent are minorities), and providing
17 test scores that are accepted for college credit at al-
18 most 3,000 colleges and universities, every university
19 in Germany, France, and Austria, and most institu-
20 tions in Canada and the United Kingdom;

21 (5) 24 States are now funding programs to in-
22 crease participation in advanced placement pro-
23 grams, including 19 States that provide funds for
24 advanced placement teacher professional develop-
25 ment, 3 States that require that advanced placement

1 courses be offered, 10 States that pay the fees for
2 advanced placement tests for some or all students,
3 and 4 States that require that their universities
4 grant uniform academic credit for scores of 3 or bet-
5 ter on advanced placement tests; and

6 (6) the State programs described in paragraph
7 (5) have shown the responsiveness of schools and
8 students to such programs, raised the academic
9 standards for both students participating in such
10 programs and other children taught by teachers who
11 are involved in advanced placement courses, and
12 shown tremendous success in increasing enrollment,
13 achievement, and minority participation in advanced
14 placement programs.

15 (b) PURPOSES.—The purposes of this Act are—

16 (1) to encourage more of the 600,000 students
17 who take advanced placement courses but do not
18 take advanced placement exams each year to dem-
19 onstrate their achievements through taking the
20 exams;

21 (2) to build on the many benefits of advanced
22 placement programs for students, which benefits
23 may include the acquisition of skills that are impor-
24 tant to many employers, Scholastic Aptitude Tests
25 (SAT) scores that are 100 points above the national

1 averages, and the achievement of better grades than
2 the grades of students who have not participated in
3 the programs;

4 (3) to support State and local efforts to raise
5 academic standards through advanced placement
6 programs, and thus further increase the number of
7 students who participate and succeed in advanced
8 placement programs;

9 (4) to increase the availability and broaden the
10 range of schools that have advanced placement pro-
11 grams, which programs are still often distributed un-
12 evenly among regions, States, and even secondary
13 schools within the same school districts, while also
14 increasing and diversifying student participation in
15 the programs;

16 (5) to build on the State programs described in
17 subsection (a)(5) and demonstrate that larger and
18 more diverse groups of students can participate and
19 succeed in advanced placement programs; and

20 (6) to provide access to advanced placement
21 courses for secondary school juniors at schools that
22 do not offer advanced placement programs, increase
23 the rate of secondary school juniors and seniors who
24 participate in advanced placement courses to 25 per-
25 cent of the secondary school student population, and

1 increase the numbers of students who receive ad-
2 vanced placement test scores for which college aca-
3 demic credit is awarded.

4 **SEC. 3. ADVANCED PLACEMENT DEMONSTRATION PRO-**
5 **GRAM GRANTS.**

6 (a) GRANTS AUTHORIZED.—

7 (1) IN GENERAL.—Subject to subsection (e)
8 and from amounts appropriated under the authority
9 of subsection (g) for a fiscal year, the Secretary
10 shall award grants, on a competitive basis, to eligible
11 entities for the fiscal year to enable the eligible enti-
12 ties to carry out the authorized activities described
13 in subsection (c).

14 (2) DURATION AND PAYMENTS.—

15 (A) DURATION.—The Secretary shall
16 award a grant under this section for a period
17 of 3 years.

18 (B) PAYMENTS.—The Secretary shall
19 make grant payments under this section on an
20 annual basis.

21 (3) DEFINITION OF ELIGIBLE ENTITY.—In this
22 section, the term “eligible entity” means a State
23 educational agency, or in the case of a State for
24 which the State educational agency does not receive

1 a grant under this section, a local educational agency
2 in the State.

3 (b) PRIORITY.—In awarding grants under this section
4 the Secretary shall give priority to eligible entities
5 submitting applications under subsection (d) that demonstrate—
6

7 (1) a pervasive need for access to advanced
8 placement incentive programs;

9 (2) the involvement of business and community
10 organizations in the activities to be assisted;

11 (3) a focus on developing or expanding advanced
12 placement programs and participation in the
13 core academic areas of English, mathematics, and
14 science; and

15 (4) the availability of matching funds from
16 State or local sources.

17 (c) AUTHORIZED ACTIVITIES.—An eligible entity
18 may use grant funds under this section to expand access
19 for low-income individuals to advanced placement incentive
20 programs that involve—

21 (1) teacher training;

22 (2) preadvanced placement course development;

23 (3) curriculum coordination and articulation between
24 grade levels that prepares students for advanced
25 placement courses;

1 (4) curriculum development; and

2 (5) any other activity related to expanding ac-
3 cess to and participation in advanced placement in-
4 centive programs for low-income individuals.

5 (d) APPLICATION.—Each eligible entity desiring a
6 grant under this section shall submit an application to the
7 Secretary at such time, in such manner, and accompanied
8 by such information as the Secretary may require.

9 (e) SPECIAL RULE.—The Secretary shall award a
10 grant under this section for a fiscal year only if the College
11 Board expends for the College Board Fee Assistance Pro-
12 gram for the fiscal year at least the amount of funds the
13 College Board expended for the program for the preceding
14 fiscal year.

15 (f) DATA COLLECTION AND REPORTING.—

16 (1) DATA COLLECTION.—Each eligible entity
17 receiving a grant under this section shall annually
18 report to the Secretary—

19 (A) the number of advanced placement
20 tests taken by students served by the eligible
21 entity;

22 (B) the scores on the advanced placement
23 tests; and

24 (C) demographic information regarding in-
25 dividuals taking the advanced placement tests.

1 (2) REPORT.—The Secretary shall annually
 2 compile the information received from each eligible
 3 entity under paragraph (1) and report to Congress
 4 regarding the information.

5 (g) AUTHORIZATION OF APPROPRIATIONS.—There
 6 are authorized to be appropriated to carry out this section
 7 \$25,000,000 for fiscal year 1998, and such sums as may
 8 be necessary for each of the 4 succeeding fiscal years.

9 **SEC. 4. ADDITIONAL PRIORITIES FOR ADVANCED PLACE-**
 10 **MENT.**

11 (a) STUDENT INCENTIVES.—

12 (1) BYRD SCHOLARSHIPS.—Section 419G(a) of
 13 the Higher Education Act of 1965 (20 U.S.C.
 14 1070d–37(a)) is amended by adding at the end the
 15 following: “The criteria shall take into consideration
 16 participation and performance in advanced place-
 17 ment courses.”.

18 (2) DISSEMINATION OF ADVANCED PLACEMENT
 19 INFORMATION.—Each institution of higher education
 20 receiving Federal funds for research or for programs
 21 assisted under the Higher Education Act of 1965
 22 (20 U.S.C. 1001 et seq.)—

23 (A) shall distribute to secondary school
 24 counselors or advanced placement coordinators
 25 in the State information with respect to the

amount and type of academic credit provided to students at the institution of higher education for advanced placement test scores; and

(B) shall standardize, not later than 4 years after the date of enactment of this Act, the form and manner in which the information described in subparagraph (A) is disseminated by the various departments, offices, or other divisions of the institution of higher education.

(b) STATE AND LOCAL INITIATIVES.—

(1) JAVITS GIFTED AND TALENTED STUDENTS.—Section 10205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8035(a)) is amended—

(A) in paragraph (1), by striking “and” after the semicolon;

(B) in paragraph (2), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(3) to programs and projects for gifted and talented students that build on or otherwise incorporate advanced placement courses and tests.”.

(2) UPWARD BOUND PROGRAM.—Section 402C of the Higher Education Act of 1965 (20 U.S.C.

1 1070a–13) is amended by adding at the end the fol-
 2 lowing:

3 “(f) PRIORITY.—The Secretary shall give priority in
 4 awarding grants under this section to upward bound
 5 projects that focus on increasing secondary school student
 6 participation and success in advanced placement
 7 courses.”.

8 (3) EISENHOWER PROFESSIONAL DEVELOP-
 9 MENT.—

10 (A) FEDERAL ACTIVITIES.—Section 2101
 11 of the Elementary and Secondary Education
 12 Act of 1965 (20 U.S.C. 6621) is amended by
 13 adding at the end the following:

14 “(c) PRIORITY.—The Secretary shall give priority in
 15 awarding grants and entering into contracts and coopera-
 16 tive agreements under this part to activities that involve
 17 training in advanced placement instruction.”.

18 (B) STATE AND LOCAL ACTIVITIES.—Sec-
 19 tion 2207 of the Elementary and Secondary
 20 Education Act of 1965 (20 U.S.C. 6647) is
 21 amended—

22 (i) in paragraph (12), by striking
 23 “and” after the semicolon;

24 (ii) in paragraph (13), by striking the
 25 period and inserting “; and”; and

1 (iii) by adding at the end the follow-
 2 ing:

3 “(14) providing professional development activi-
 4 ties involving training in advanced placement in-
 5 struction.”.

6 (4) TECHNOLOGY.—

7 (A) STAR SCHOOLS.—Section 3204 of the
 8 Elementary and Secondary Education Act of
 9 1965 (20 U.S.C. 6894) is amended by adding
 10 at the end the following:

11 “(i) ADVANCED PLACEMENT INSTRUCTION.—Each
 12 eligible entity receiving funds under this part is encour-
 13 aged to deliver advanced placement instruction to under-
 14 served communities.”.

15 (B) EDUCATION TECHNOLOGY GRANTS.—
 16 Subpart 2 of part A of title III of the Elemen-
 17 tary and Secondary Education Act of 1965 (20
 18 U.S.C. 6841 et seq.) is amended—

19 (i) in section 3134 (20 U.S.C.
 20 6844)—

21 (I) in paragraph (5), by striking
 22 “and” after the semicolon;

23 (II) in paragraph (6), by striking
 24 the period and inserting “; and”; and

1 (III) by adding at the end the
2 following:

3 “(7) providing education technology for ad-
4 vanced placement instruction.”; and

5 (ii) in section 3136(c) (20 U.S.C.
6 6846(c))—

7 (I) in paragraph (4), by striking
8 “and” after the semicolon;

9 (II) in paragraph (5), by striking
10 the period and inserting “; and”; and

11 (III) by adding at the end the
12 following:

13 “(6) the project will use education technology
14 for advanced placement instruction.”.

15 **SEC. 5. ADVANCED PLACEMENT TEST FEE REDUCTION**
16 **PROGRAM.**

17 Part G of title XV of the Higher Education Amend-
18 ments of 1992 (20 U.S.C. 1070a–11 note) is amended to
19 read as follows:

20 **“PART G—ADVANCED PLACEMENT TEST FEE**
21 **REDUCTION PROGRAM**

22 **“SEC. 1545. ADVANCED PLACEMENT TEST FEE REDUCTION**
23 **PROGRAM.**

24 “(a) GRANTS AUTHORIZED.—

1 “(1) IN GENERAL.—Subject to subsection (g)
2 and from amounts appropriated under the authority
3 of subsection (j) for a fiscal year, the Secretary shall
4 award grants to State educational agencies for the
5 fiscal year to enable the State educational agencies
6 to carry out the authorized activities described in
7 subsection (d).

8 “(2) AMOUNT.—

9 “(A) IN GENERAL.—The Secretary shall
10 award a State educational agency a grant under
11 this section for a fiscal year in an amount
12 based on \$25 for each eligible low-income indi-
13 vidual in the State who takes an advanced
14 placement test for the fiscal year.

15 “(B) ADJUSTMENTS.—The Secretary may
16 adjust the dollar figure in subparagraph (A) to
17 reflect changes in inflation or in amounts ap-
18 propriated under the authority of subsection (j).

19 “(b) INFORMATION DISSEMINATION.—The State
20 educational agency shall disseminate information on the
21 activities assisted under this section to low-income individ-
22 uals through secondary school teachers and guidance
23 counselors.

1 “(c) PRIORITY.—The Secretary shall give priority in
2 awarding grants under this section for a fiscal year to
3 State educational agencies serving States that—

4 “(1) expend State funds—

5 “(A) to lower advanced placement test fees
6 for eligible low-income individuals; or

7 “(B) to expand the State pool of teachers
8 prepared to teach advanced placement courses
9 to low-income individuals or in underserved
10 communities;

11 “(2) use more than a negligible amount of
12 funds provided under title II of the Elementary and
13 Secondary Education Act of 1965 (20 U.S.C. 6601
14 et seq.) or other Federal funds to increase participa-
15 tion in advanced placement incentive programs; or

16 “(3) operate, on the date of enactment of the
17 College Affordability and High Standards Act of
18 1997, an advanced placement incentive program.

19 “(d) AUTHORIZED ACTIVITIES.—A State educational
20 agency may use grant funds under this section for activi-
21 ties that are related to expanding access for low-income
22 individuals or in underserved communities to advanced
23 placement tests, and involve—

1 “(1) establishing or expanding an advanced
 2 placement test fee reduction program for eligible
 3 low-income individuals that may include—

4 “(A) varying the amount or type of ad-
 5 vanced placement test fee reimbursement for el-
 6 igible low-income individuals; or

7 “(B) establishing a sliding scale advanced
 8 placement test fee reimbursement program
 9 based on an eligible low-income individual’s an-
 10 nual gross income; or

11 “(2) only in the case of a State that operates
 12 an advanced placement test fee reduction program
 13 on the date of enactment of the College Affordability
 14 and High Standards Act of 1997, expanding the
 15 program or carrying out any activity that meets the
 16 requirements of subparagraph (A) or (B) of sub-
 17 section (c)(1).

18 “(e) SPECIAL RULES.—

19 “(1) REMAINING FUNDS.—If any funds author-
 20 ized to be appropriated under the authority of sub-
 21 section (j) for a fiscal year remain available after the
 22 Secretary awards grants to State educational agen-
 23 cies under this section for the fiscal year, then the
 24 Secretary shall use the remaining funds to award

1 grants under this section for the succeeding fiscal
2 year.

3 “(2) MAINTENANCE OF EFFORT.—The State
4 educational agency, in utilizing the proceeds of a
5 grant received under this section, shall maintain the
6 expenditures of the State educational agency for ad-
7 vanced placement incentive programs at a level of
8 such expenditures maintained by the State edu-
9 cational agency for the fiscal year preceding the fis-
10 cal year for which the grant is received.

11 “(f) APPLICATION.—Each State educational agency
12 desiring a grant under this section shall submit to the Sec-
13 retary an application at such time, in such manner, and
14 accompanied by such information as the Secretary may
15 require.

16 “(g) REQUIREMENT.—The Secretary shall award a
17 grant under this section for a fiscal year only if the College
18 Board expends for the College Board Fee Assistance Pro-
19 gram for the fiscal year at least the amount of funds the
20 College Board expended for such program for the preced-
21 ing fiscal year.

22 “(h) DATA COLLECTION AND REPORTING.—

23 “(1) DATA COLLECTION.—Each State edu-
24 cational agency receiving a grant under this section
25 shall annually report to the Secretary—

1 “(A) the number of advanced placement
2 tests taken by students served by the State edu-
3 cational agency;

4 “(B) the scores on the advanced placement
5 tests; and

6 “(C) demographic information regarding
7 individuals taking the advanced placement tests.

8 “(2) REPORT.—The Secretary shall annually
9 compile the information received from each State
10 educational agency under paragraph (1) and report
11 to Congress regarding the information.

12 “(i) DEFINITIONS.—In this section:

13 “(1) ADVANCED PLACEMENT INCENTIVE PRO-
14 GRAM.—The term ‘advanced placement incentive
15 program’ means a program that provides advanced
16 placement activities and services to low-income indi-
17 viduals.

18 “(2) ADVANCED PLACEMENT TEST.—The term
19 ‘advanced placement test’ means an advanced place-
20 ment test administered by the College Board or ap-
21 proved by the Secretary.

22 “(3) ELIGIBLE LOW-INCOME INDIVIDUAL.—The
23 term ‘eligible low-income individual’ means a low-in-
24 come individual (as defined in section 402A(g)(2) of
25 the Higher Education Act of 1965 (20 U.S.C.

1 1070a–11(g)(2)) who is academically prepared to
 2 successfully take an advanced placement test as de-
 3 termined by a secondary school teacher or advanced
 4 placement coordinator taking into consideration fac-
 5 tors such as enrollment and performance in an ad-
 6 vanced placement course or superior academic abil-
 7 ity.

8 “(4) SECONDARY SCHOOL; AND STATE EDU-
 9 CATIONAL AGENCY.—The terms ‘secondary school’
 10 and ‘State educational agency’ have the meanings
 11 given the terms in section 14101 of the Elementary
 12 and Secondary Education Act of 1965 (20 U.S.C.
 13 8801).

14 “(5) SECRETARY.—The term ‘Secretary’ means
 15 the Secretary of Education.

16 “(6) STATE.—The term ‘State’ means each of
 17 the several States of the United States, the District
 18 of Columbia, the Commonwealth of Puerto Rico,
 19 Guam, American Samoa, the United States Virgin
 20 Islands, the Republic of the Marshall Islands, the
 21 Federated States of Micronesia, and the Republic of
 22 Palau.

23 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
 24 are authorized to be appropriated to carry out this section

1 \$6,000,000 for fiscal year 1998 and such sums as may
 2 be necessary for each of the 4 succeeding fiscal years.”.

3 **SEC. 6. DEFINITIONS.**

4 In this Act:

5 (1) **ADVANCED PLACEMENT INCENTIVE PRO-**
 6 **GRAM.**—The term “advanced placement incentive
 7 program” means a program that provides advanced
 8 placement activities and services to low-income indi-
 9 viduals.

10 (2) **ADVANCED PLACEMENT TEST.**—The term
 11 “advanced placement test” means an advanced
 12 placement test administered by the College Board or
 13 approved by the Secretary.

14 (3) **ELIGIBLE LOW-INCOME INDIVIDUAL.**—The
 15 term “eligible low-income individual” means a low-
 16 income individual (as defined in section 402A(g)(2)
 17 of the Higher Education Act of 1965 (20 U.S.C.
 18 1070a–11(g)(2)) who is academically prepared to
 19 successfully take an advanced placement test as de-
 20 termined by a school teacher or advanced placement
 21 coordinator taking into consideration factors such as
 22 enrollment and performance in an advanced place-
 23 ment course or superior academic ability.

24 (4) **INSTITUTION OF HIGHER EDUCATION.**—The
 25 term “institution of higher education” has the

1 meaning given the term in section 1201(a) of the
2 Higher Education Act of 1965 (20 U.S.C. 1141(a)).

3 (5) LOCAL EDUCATIONAL AGENCY; SECONDARY
4 SCHOOL; AND STATE EDUCATIONAL AGENCY.—The
5 terms “local educational agency”, “secondary
6 school”, and “State educational agency” have the
7 meanings given the terms in section 14101 of the
8 Elementary and Secondary Education Act of 1965
9 (20 U.S.C. 8801).

10 (6) SECRETARY.—The term “Secretary” means
11 the Secretary of Education.

12 (7) STATE.—The term “State” means each of
13 the several States of the United States, the District
14 of Columbia, the Commonwealth of Puerto Rico,
15 Guam, American Samoa, the United States Virgin
16 Islands, the Republic of the Marshall Islands, the
17 Federated States of Micronesia, and the Republic of
18 Palau.

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